

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MEGAN MCGUIRE,

Plaintiff,

vs.

CORY COOPER,

Defendant.

8:16CV4

**AMENDED
TRIAL ORDER**

This matter is before the court after a conference call by Magistrate Judge Bazis with counsel for the plaintiff and the pro se defendant,

IT IS ORDERED:

1. **JURY SELECTION:**

Jury selection only of this case is set to commence before Senior Judge Joseph F. Bataillon in Courtroom #3, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska at 9:00 a.m. on December 11, 2020.

JURY TRIAL:

Jury trial of this case is set to commence before Senior Judge Joseph F. Bataillon in Courtroom #3, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska at 9:00 a.m. on December 14, 2020, for a duration of 5 days.

2. **MOTIONS IN LIMINE:**

Motions in limine shall be filed at least seven days before the trial. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.

3. **TRIAL SUBMISSIONS:**

A. **Trial Brief:**

At least seven (7) days before the scheduled date of trial, a trial brief as required by NECivR¹ 39.2(a) shall be filed electronically with the Clerk of the Court.

B. **Exhibit List:**

¹ NECivR refers to the local rules for the District of Nebraska. The 2019 rules can be found at <http://www.ned.uscourts.gov/attorney/local-rules>.

At least seven (7) days before the scheduled date of trial, each party shall email an exhibit list as required by NECivR 16.2(a)(1) to my chambers at bataillon@ned.uscourts.gov in Microsoft Word format. If the exhibit list was not incorporated into the final pretrial order, then the exhibit list should also be filed electronically with the Clerk of the Court at least seven (7) days before the scheduled date of trial.

C. Witness List:

At least seven (7) days before the scheduled date of trial, each party shall email a witness list as required by NECivR 16.2(a)(2)(D) to my chambers at bataillon@ned.uscourts.gov in Microsoft Word format. If the witness list was not incorporated into the final pretrial order, then the witness list should also be filed electronically with the Clerk of the Court at least seven (7) days before the scheduled date of trial.

D. Proposed Jury Instructions and Verdict Form:

Proposed jury instructions as required by NECivR 51.1 and proposed verdict form(s) shall be filed electronically with the Clerk of the Court at least seven (7) days before the scheduled date of trial.

4. EXHIBITS:

A. Court's Copies:

Each proponent of exhibits shall prepare a three-ring binder containing a copy of each original exhibit to be offered. The exhibits must be numbered in accordance with NECivR 39.3(d) and organized by dividers and numbered tabs for quick retrieval of copies of exhibits during trial. The binder with copies of exhibits must be delivered to chambers no later than seven (7) days before the scheduled date of trial. **The copies of exhibits delivered to chambers are not the original exhibits to be used at trial.**

B. Original Exhibits:

The parties should deliver original exhibits to the court in accordance with NECivR 39.3. Exhibits shall be properly listed and identified on the exhibit form supplied by the Clerk of the Court's Office, also available at the court website: www.ned.uscourts.gov/forms.

C. Marking of Exhibits:

The parties should number exhibits as required by NECivR 39.3(d). Plaintiff's exhibits will begin with number "1." Defendant's exhibits will begin with the three-digit number rounded to the next hundred after plaintiff's last exhibit. Additionally, all exhibits must be pre-marked with stickers that indicate whether the government, the plaintiff, or the defendant is offering the exhibit.

Dated this 1st day of September, 2020.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge